

MAR 07 2007

Case No. 8627/1247 (PA-5573-PCT/US)

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled INTRODUCER SHEATH AND METHOD FOR MAKING, the specification of which:

- ☐ is attached hereto.
☒ was filed on June 1, 2006 as Application Serial No. 10/581,330.
☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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I hereby claim the benefit under 35 U.S.C. § 119(c) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
<u>60/589,758</u>	<u>July 21, 2004</u>

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
<u>PCT/US2005/025188</u>	<u>15 July 2005 (15.07.05)</u>	<u>Pending</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature
 Full name of second joint inventor
 Residence
 Citizenship
 Post Office Address

Thomas A. Osborne
THOMAS A. OSBORNE

Date: Feb. 26, 2007Bloomington, IndianaUS9480 S. LaSalle Drive, Bloomington, IN 47401

BRINKS HOFER GILSON & LIONE
 ONE INDIANA SQUARE, SUITE 1600
 INDIANAPOLIS, IN 46204
 (317) 636-0886

Attorney Docket No. 8627/1247 (PA-5573-PCT/US)

Inventors: Thomas A. Osborne

Title of Appl.: INTRODUCER SHEATH AND METHOD FOR MAKING

**POWER OF ATTORNEY BY ASSIGNEE
AND CORRESPONDENCE ADDRESS INDICATION**

The specification of the above-identified patent application:

- ☐ is attached hereto.
☒ was filed on June 1, 2006 as U.S. application No. 10/581,330

Cook Incorporated, a corporation existing under the laws of the state of Indiana, ("ASSIGNEE") certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached;
OR

- ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From _____ to _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.
2. From _____ to _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy of which is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

ASSIGNEE hereby revokes all previously granted powers of attorney in the above identified patent application and appoints the Practitioners associated with the following Customer Number as its attorneys, with full power of substitution and revocation, to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent(s), to transact all business in the United States Patent and Trademark Office connected therewith, and to act on ASSIGNEE'S behalf before the competent International Authorities in connection with any and all international applications filed by ASSIGNEE:

Customer No. 48004-Brinks Hofer Gilson & Lione

Please recognize or change the correspondence address for this application to the address associated with the above-mentioned Customer Number. Please direct all telephonic and facsimile communications to:

Lawrence A. Steward
Tel.: (317) 636-0886; Fax: (317) 634-6701

The undersigned hereby authorizes the Practitioners associated with the above Customer Number to accept and follow instructions from Cook Incorporated as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the Practitioners and the undersigned. In the event of a change in the persons from whom instructions may be taken, the Practitioners will be so notified by the undersigned.

The undersigned (whose title is supplied below) is empowered to act on behalf of ASSIGNEE.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: Thomas A. Osborne Date: Feb. 25, 2007
Name: Thomas A. Osborne
Title: Vice President of IP Growth and Development

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ASSIGNMENT AND AGREEMENT

For value received, I, **Thomas A. Osborne** residing at 9480 S. LaSalles Drive, Bloomington, Indiana 47401, U.S.A., hereby sell, assign, and transfer to **Cook Incorporated**, a corporation of the State of Indiana, having an office at 750 N. Daniels Way, Bloomington, IN, 47404, U.S.A., and its successors, assigns and legal representatives, hereinafter collectively "Cook," the entire right, title and interest, for the United States of America, in and to certain inventions related to **"INTRODUCER SHEATH AND METHOD FOR MAKING"** described in U.S. Provisional Application Serial No. 60/589,758, filed on July 21, 2004; and described in International Patent Application Serial No. PCT/US2005/025188, filed on 15 July 2005; and any and all applications claiming the benefit thereof, including the right of priority, and described in U.S. Nonprovisional Application Serial No. 10/581,330 filed on June 1, 2006, and all rights and all the rights and privileges in said applications and under any and all Letters Patent or any continuation, division, renewal, or substitute thereof, and any reissue or re-examination thereof that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Cook the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the applications aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

I authorize Cook to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from me, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Cook to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

I request that any and all patents for said inventions be issued to Cook in the United States and in all countries foreign to the United States, or to such nominees as Cook may designate.

I agree that, when requested, I shall, without charge to Cook but at their expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

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The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignor has executed this agreement.

DATED:

Feb. 26, 2007Thomas A. Osborne

Thomas A. Osborne

STATE OF INDIANA)

) SS:

COUNTY OF MONROE)

I, Christine Humphrey, A Notary Public in and for the County and State aforesaid, do hereby certify that THOMAS A. OSBORNE, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 26 day of February, 2007.

Christine Humphrey

Notary Public

(SEAL) July 2, 2009